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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,106	03/12/2004	Salman Yousef Abbasi	2003-0113	8930
26652	7590	09/07/2007		
AT&T CORP. ROOM 2A207 ONE AT&T WAY BEDMINSTER, NJ 07921			EXAMINER LIU, BEN H	
			ART UNIT 2609	PAPER NUMBER
			MAIL DATE 09/07/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/800,106

Applicant(s)

ABBASI ET AL.

Examiner

Ben H. Liu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 12 March, 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>29 July, 2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the specification fails to provide proper antecedent basis for the phrase "article" in line 1 of claim 18. A similar problem exists for the phrase "a storage medium" in line 2 of claim 18.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

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4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1 and 7-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker (U.S. Patent Application Publication 2003/0115298) in view of Kung et al. (U.S. Patent 6,775,273).

For claims 1, 10, and 18, Baker discloses a method and apparatus of receiving a first request for a connection from a requesting agent, the first request having a quality of service parameter; sending a second request for one of a plurality of network addresses; receiving a network address in accordance with the second request; and sending the network address to the requesting agent to establish said connection in accordance with the first request (see paragraphs 6, 23 and figure 2). The instructions for requesting a network address can be stored in a storage medium (see paragraph 14).

For claim 8, Baker discloses a method for requesting a network address, wherein said second request is a dynamic host configuration protocol (DHCP) request (see paragraph 6).

For claims 9 and 20, Baker discloses a method for requesting a network address, wherein said sending said second request comprises sending said dynamic host configuration protocol

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request to a DHCP server; and receiving said network address from said DHCP server (see paragraph 6).

For claims 17, Baker discloses a method for requesting a network address further comprising a dynamic host configuration protocol (DHCP) server to connect to said MAC, said DHCP server to receive said 1st second request, retrieve one of said first network address and second network address from a DHCP table, and send said retrieved network address to said MAC (see paragraph 6).

For claims 1, 7, 10-16 and 19, Kung et al. disclose all the subject matter of the claimed invention with the following exceptions:

Wherein sending a second request for one of a plurality of network addresses based on said quality of service parameter as recited in claim 1.

Wherein each network address from said plurality of network addresses comprises a network address for a different network as recited in claim 2.

Wherein a first network address from said plurality of network addresses comprises a network address for a private network, and a second network address from said plurality of network addresses comprises a network address for a public network as recited in claim 3.

Wherein the network request is either for a multimedia or data connection as recited in claims 7, 10, and 19.

Wherein the plurality of network addresses are MAC addresses as recited in claim 10.

Wherein said driver module sends said first or second network address to said requesting agent to establish said connection in accordance with said first request as recited in claim 11.

Wherein said requesting agent comprises part of a multimedia module as recited in claim 12.

Wherein said multimedia module comprises a multimedia terminal adapter and analog telephone as recited in claim 13.

Wherein said multimedia module comprises at least one of a packet telephone, video equipment and audio equipment as recited in claim 14.

Wherein said requesting agent comprises part of a data module as recited in claim 15.

Wherein said data module comprises one of a computer, server and workstation as recited in claim 16.

Kung et al. from the same or similar fields of endeavor teaches an IP service control system which provides multimedia and data communications (see column 4 lines 27-33). The system assigns a system address according to the MAC address (see column 33 lines 2-10 and figure 8) as well as quality of service (QOS) parameters (see column 9 lines 10-16). The system provides multimedia connections for plain old telephone system as well as IP enabled phones as well as data connections for personal computers (PC) (see column 4 lines 23-43) across different networks such as public and private networks (see column 6 line 50 to column 7 line 2). Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the IP service control system that provides multimedia and data communications as taught by Kung et al. with the system and apparatus for requesting a network address as taught by Baker. The system that provides multimedia and data communications as taught by Kung et al. can be implemented by utilizing the IP central station as described by Kung et al. with the system and apparatus for requesting a network address as taught by Baker. The motivation for using the

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system that provides multimedia and data communications as taught by Kung et al. with the system and apparatus for requesting a network address as taught by Baker is to offer a greater variety of multimedia and data services across the network.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Akgun et al. (U.S. Patent 6,657,991) and Kokot et al. (U.S. Patent Application Publication 2004/0258003) are cited to show subject matter that is considered pertinent to the claimed inventions.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ben H. Liu whose telephone number is (571) 270-3118. The examiner can normally be reached on Monday Through Friday 7:30AM to 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dang Ton can be reached on (571) 272-3171. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BL



DANG T. TON
SUPERVISORY PATENT EXAMINER